

August 29 2023 2:39 PM

CONSTANCE R. WHITE  
COUNTY CLERK  
NO: 23-2-09355-6

The Honorable Matthew Hummel Thomas  
Trial Date: February 25, 2025

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF PIERCE

KRISTINE M. YOUNG, individually and  
on behalf of all those similarly situated,

Plaintiff,

vs.

LABORATORY CORPORATION OF  
AMERICA, a foreign Corporation,  
HEATHER D. BELLAMY, an individual,  
and BREANNE E. WASHINGTON, an  
individual,

Defendants.

No. 23-2-09355-6

CLASS ACTION COMPLAINT FOR  
DAMAGES

Plaintiff claims against Defendants as follows:

**I. NATURE OF ACTION**

1.1. Plaintiff Kristine M. Young individually, and on behalf of all individuals currently or formerly employed on or after August 29, 2020 at LabCorp facilities in positions paid on an hourly basis, brings this action for money damages and statutory penalties for violations of Washington Industrial Welfare Act ("IWA"), RCW 49.12, Minimum Wage Act ("MWA"), RCW 49.46, Wage Payment Act ("WPA"), RCW 49.48, and Wage Rebate Act ("WRA"), RCW 49.52.

**II. JURISDICTION AND VENUE**

2.1. The Superior Court of Washington has jurisdiction of Plaintiff's claims pursuant to RCW 2.08.010.

2.2. Venue in Pierce County is appropriate pursuant to RCW 4.12.025.

2.3. Defendants transact business and operate several locations throughout Washington and in Pierce County.

2.4. At least some of the acts and omissions alleged in this Complaint took place in the State of Washington and Pierce County.

**III. PARTIES**

3.1. Defendant Laboratory Corporation of America, hereafter "LabCorp" is organized under the laws of the state of Delaware and is headquartered in Burlington, North Carolina, and operates locations and serves customers throughout Washington including Pierce County. LabCorp is an employer for the purposes of the IWA, MWA, WPA, and WRA.

3.2. Upon information and belief, Defendant Heather D. Bellamy, hereafter "Bellamy" is a citizen of Washington state residing in Wenatchee, Washington and at all relevant times was an officer, vice-principal or agent of LabCorp and had apparent and/or actual, direct or indirect authority over employment matters, including the payment of wages. Bellamy is an employer for the purposes of the IWA, MWA, WPA, and WRA.

3.3. Upon information and belief, Defendant Breanne E. Washington, hereafter "Washington" is a citizen of Washington state residing in Puyallup, Washington and at all relevant times was an officer, vice-principal or agent of LabCorp and had apparent and/or actual, direct or indirect authority over employment matters, including the payment of wages. Washington is an employer for the purposes of the IWA, MWA, WPA, and WRA.

3.4. Plaintiff Kristine M. Young, hereafter "Young", is a resident of Lynnwood, Washington and currently employed and working in several LabCorp facilities in Washington state and paid on an hourly basis.

**IV. FACTUAL ALLEGATIONS**

4.1. Plaintiff and members of the putative class are or were employed by Defendants in Washington state in positions paid on an hourly basis.

4.2. Defendants created and maintained work schedules and a working environment that discouraged Plaintiff and members of the putative class from taking rest periods in compliance with Washington law.

4.3. Defendants failed to keep records of the occurrence, time, and duration of paid rest periods.

4.4. At times, Plaintiff and members of the putative class were required to work more than three consecutive hours without a rest period.

4.5. Plaintiff and members of the putative class were not scheduled for and, at times, did not take a rest period in a duration of at least ten minutes, on the employer's time, for every four hours worked.

4.6. Defendants failed to establish and maintain a process for Plaintiff and members of the putative class to report and be paid for instances of when they were required to work over three consecutive hours without a rest period, when they did not receive a rest period in at least a ten-minute duration, or when they failed to receive a rest period of at least ten minutes in length for each four hours worked.

4.7. Defendants did not compensate Plaintiff and members of the putative class for an additional ten minutes of work, at their regular rate of pay, for each instance it required them to work greater than three consecutive hours without a rest period, provided a rest period in a duration of less than ten minutes, or did not provide a rest period of at least ten minutes in duration for each four hours worked.

4.8. There is no fairly debatable issue of law or any objectively or subjectively reasonable dispute whether Defendants needed to compensate Plaintiff and members of the putative class with an additional ten minutes of work, at their regular rate of pay, for each instance they required them to

1 work greater than three consecutive hours without a rest period, provided a rest period in a duration  
2 of less than ten minutes, or did not provide a rest period of at least ten minutes in duration for each  
3 four hours worked.

4 4.9. Defendants' failure to compensate Plaintiff and members of the putative class with an  
5 additional ten minutes of work, at their regular rate of pay, for each instance it required them to  
6 work greater than three consecutive hours without a rest period, provided a rest period in a duration  
7 of less than ten minutes, or did not provide a rest period of at least ten minutes in duration for each  
8 four hours worked was intentional and deliberate and was not the result of administrative or clerical  
9 errors.

10 4.10. Defendants created and maintained work schedules, job requirements, and a  
11 working environment that discouraged Plaintiff and members of the putative class from taking  
12 meal periods in compliance with Washington law.

13 4.11. Plaintiff and members of the putative class frequently worked shifts greater than  
14 five hours in duration and sometimes worked shifts greater than ten hours and one-half hours in  
15 duration, and at times were not scheduled for, were not provided with, did not take, and did not  
16 waive their rights to thirty-minute meal periods.

17 4.12. At times, Defendants failed to provide Plaintiff and members of the putative class  
18 with meal periods in a duration of at least thirty minutes commencing no less than two hours nor  
19 more than five hours from the beginning of their shifts.

20 4.13. At times, Defendant failed to provide second meal periods in a duration of at least  
21 thirty minutes for shifts greater than ten and one-half hours in duration or otherwise required  
22 Plaintiff and members of the putative class to work greater than five consecutive hours without or  
23 between meal periods.

24 4.14. Defendants failed to establish and maintain a process for Plaintiff and members of  
25 the putative class to report and be compensated for instances of when they were not provided a  
26 meal period of at least thirty minutes commencing no less than two hours nor more than five hours

1 from beginning of their shift for shifts greater than five hours in duration, when they were not  
2 provided a second meal period for shifts greater than ten and one-half hours in duration, or when  
3 they were otherwise required to work over five consecutive hours without or between meal periods.

4 4.15. Defendants failed to compensate Plaintiff and members of the putative class with  
5 an additional thirty minutes of work, at their regular rate of pay, for each instance of when they  
6 were not provided a meal period of at least thirty minutes commencing no less than two hours nor  
7 more than five hours from beginning of their shift for shifts greater than five hours in duration,  
8 when they were not provided a second meal period for shifts greater than ten and one-half hours  
9 in duration, or when they were otherwise required to work over five consecutive hours without or  
10 between meal periods.

11 4.16. There is no fairly debatable issue of law or any objectively or subjectively reasonable  
12 dispute whether Defendants needed to compensate Plaintiff and members of the putative class with an  
13 additional thirty minutes of work, at their regular rate of pay, for each instance of when they were  
14 not provided a meal period of at least thirty minutes commencing no less than two hours nor more  
15 than five hours from beginning of their shift for shifts greater than five hours in duration, when  
16 they were not provided a second meal period for shifts greater than ten and one-half hours in  
17 duration, or when they were otherwise required to work over five consecutive hours without or  
18 between meal periods.

19 4.17. Defendants' failure to compensate Plaintiff and members of the putative class with an  
20 additional thirty minutes of work, at their regular rate of pay, for each instance of when they were  
21 not provided a meal period of at least thirty minutes commencing no less than two hours and no  
22 more than five hours from beginning of their shift for shifts greater than five hours in duration,  
23 when they were not provided a second meal period for shifts greater than ten and one-half hours  
24 in duration, or when they were otherwise required to work over five consecutive hours without or  
25 between meal periods was intentional and deliberate and was not the result of administrative or clerical  
26 errors.

4.18. At times, inclusive of additional wages to compensate for missed or otherwise noncompliant meal and/or rest periods, Plaintiff and members of the putative class worked greater than forty hours in a workweek.

4.19. Plaintiff has no legal interests adverse to members of the putative class.

4.20. Plaintiff's counsel is experienced in complex wage and hour class action litigation and has been appointed Class Counsel in dozens of similar cases.

4.21. Plaintiff's counsel has adequate financial resources to prosecute this claim through trial and beyond.

## V. CLASS ACTION ALLEGATIONS

5.1. Pursuant to Civil Rule 23, Plaintiff brings this case as a class action against Defendants on behalf of a Class as defined as follows:

All individuals who are or were employed in any LabCorp facility in Washington State in positions paid on an hourly basis from August 29, 2020, through the final resolution of this case.

5.2. This action is properly maintainable as a class action under CR 23(a) and (b)(3).

5.3. The number of putative class members exceeds forty and therefore, pursuant to CR 23(a)(1), it is impracticable to join all of the members of the class as defined herein as named plaintiffs.

5.4. Pursuant to CR 23(a)(2), there are common questions of law and fact among Plaintiff and members of the putative class including, but not limited to:

(1) Whether Defendants were required to keep records of the occurrence, time, and duration of rest periods provided to Plaintiff and members of the putative class;

(2) whether Defendants failed to keep records of the occurrence, time, and duration of rest periods provided to Plaintiff and members of the putative class;

(3) whether Defendants required Plaintiff and members of the putative class to work greater than three consecutive hours without a rest period;

1           (4) whether Defendants failed to ensure Plaintiff and members of the  
2 putative class received a compliant rest period of at least ten minutes in length, on  
3 the employer's time, for each four hours worked;

4           (5) whether Defendants were required to compensate Plaintiff and  
5 members of the putative class for an additional ten minutes of work for each  
6 instance they required them to work greater than three consecutive hours without a  
7 rest period, provided a rest period in a duration of less than ten minutes, or did not  
8 provide a rest period of at least ten minutes in duration, on the employer's time, for  
9 each four hours worked;

10          (6) whether Defendants failed to compensate Plaintiff and members of  
11 the putative class for an additional ten minutes of work for each instance they  
12 required them to work greater than three consecutive hours without a rest period,  
13 provided a rest period in a duration of less than ten minutes, or did not provide a  
14 rest period of at least ten minutes in duration, on the employer's time, for each four  
15 hours worked;

16          (7) whether Defendants were required to provide Plaintiff and members  
17 of the putative class with meal periods in a duration of at least thirty minutes  
18 commencing no less than two hours nor more than five hours from the beginning  
19 of their shifts;

20          (8) whether Defendants failed to provide Plaintiff and members of the  
21 putative class with meal periods in a duration of at least thirty minutes commencing  
22 no less than two hours nor more than five hours from the beginning of their shifts;

23          (9) whether Defendants were required to provide second meal periods  
24 in a duration of at least thirty minutes for shifts greater than ten and one-half hours  
25 in duration or otherwise required Plaintiff and members of the putative class to  
26 work greater than five consecutive hours without or between meal periods;

1           (10) whether Defendants failed to provide second meal periods in a  
2 duration of at least thirty minutes for shifts greater than ten and one-half hours in  
3 duration or otherwise required Plaintiff and members of the putative class to work  
4 greater than five consecutive hours without or between meal periods;

5           (11) whether Defendants were required to compensate Plaintiff and  
6 members of the putative class with an additional thirty minutes of work, at their  
7 regular rate of pay, for each instance of when they were not provided a meal period  
8 of at least thirty minutes commencing no less than two hours nor more than five  
9 hours from beginning of their shift for shifts greater than five hours in duration,  
10 when they were not provided a second meal period for shifts greater than ten and  
11 one-half hours in duration, or when they were otherwise required to work over five  
12 consecutive hours without or between meal periods;

13           (12) whether Defendants failed to compensate Plaintiff and members of  
14 the putative class with an additional thirty minutes of work, at their regular rate of  
15 pay, for each instance of when they were not provided a meal period of at least  
16 thirty minutes commencing no less than two hours nor more than five hours from  
17 beginning of their shift for shifts greater than five hours in duration, when they were  
18 not provided a second meal period for shifts greater than ten and one-half hours in  
19 duration, or when they were otherwise required to work over five consecutive hours  
20 without or between meal periods;

21           (13) Whether Defendants were required to compensate Plaintiff and  
22 members of the putative class at a rate one and one-half times their regular rate  
23 when they worked greater than forty hours in a workweek, inclusive of additional  
24 wages to compensate for missed or otherwise noncompliant meal or rest periods;

25           (14) Whether Defendants failed to compensate Plaintiff and members of  
26 the putative class at a rate one and one-half times their regular rate when they



1 worked greater than forty hours in a workweek, inclusive of additional wages to  
 2 compensate for missed or otherwise noncompliant meal or rest periods;

3 (15) whether Defendants acted willfully and with the intent of depriving  
 4 wages or other compensation.

5 5.5. Pursuant to CR 23(a)(3), the named Plaintiff's claims are typical of the claims of  
 6 all class members and of Defendants' anticipated defenses thereto.

7 5.6. The named Plaintiff and her counsel will fairly and adequately protect the interests  
 8 of the class as required by CR 23(a)(4).

9 5.7. Pursuant to CR 23(b)(3), class certification is appropriate here because questions  
 10 of law or fact common to members of the class predominate over any questions affecting only  
 11 individual members, and because a class action is superior to other available methods for the fair  
 12 and efficient adjudication of the controversy.

13 **VI. FIRST CAUSE OF ACTION – CLASSWIDE FAILURE TO PROVIDE MEAL**  
 14 **PERIODS IN VIOLATION OF THE WASHINGTON INDUSTRIAL**  
 15 **WELFARE ACT AND FAILURE TO COMPENSATE FOR VIOLATIONS OF**  
 16 **THE WASHINGTON MINIMUM WAGE ACT**

17 6.1. Plaintiff restates and realleges the allegations set forth in all preceding paragraphs.

18 6.2. The Washington Industrial Welfare Act, RCW 49.12, and its implementing  
 19 regulation, WAC 296-126-092, require employers to provide thirty-minute meal periods to their  
 20 employees for work shifts greater than five hours in length and prohibits employees from working  
 21 more than five consecutive hours without a meal period.

22 6.3. Employees have an implied cause of action for violations of RCW 49.12 to protect  
 23 them from conditions of labor that have a pernicious effect on their health. *Wingert v. Yellow*  
 24 *Freight Systems, Inc.*, 146 Wn.2d 841, 850 (2002).

25 6.4. A meal period violation is a wage violation with employees entitled to thirty  
 26 minutes of additional compensation for each instance they are required to work more than five

consecutive hours without a compliant meal period. *Hill v. Garda CL Nw., Inc.*, 191 Wn.2d 553, 560 (2018), citing *Hill v. Garda CL Nw., Inc.*, 198 Wn. App 326, 361 (2017).

6.5. Defendants violated the Industrial Welfare Act and its implementing regulation by failing to provide Plaintiff and members of the putative class with compliant thirty-minute meal periods and by creating work schedules, staffing levels and conditions of work that discouraged compliant meal periods.

6.6. Defendants violated the Minimum Wage Act when it failed to compensate Plaintiff and members of the putative class for thirty minutes of work for each it did not provide a meal period in a duration of thirty minutes commencing between the second and fifth hour from the start of their shift or when it required them to work greater than five consecutive hours without or between meal periods.

6.7. As a result of Defendants' acts and omissions, Plaintiff and members of the putative class have been damaged in amounts as will be proven at trial.

**VII. SECOND CAUSE OF ACTION – CLASSWIDE FAILURE ENSURE REST PERIODS IN VIOLATION OF THE WASHINGTON INDUSTRIAL WELFARE ACT AND FAILURE TO COMPENSATE FOR VIOLATIONS IN VIOLATION OF THE WASHINGTON MINIMUM WAGE ACT**

7.1. Plaintiff restates and realleges the allegations set forth in all preceding paragraphs.

7.2. The Washington Industrial Welfare Act, RCW 49.12, and its implementing regulation, WAC 296-126-092, require employers to provide a rest period of not less than ten minutes, on the employer's time, for each four hours of working time.

7.3. Employees have an implied cause of action for violations of RCW 49.12 to protect them from conditions of labor that have a pernicious effect on their health. *Wingert v. Yellow Freight Systems, Inc.*, 146 Wn.2d 841, 850 (2002).

7.4. A rest period violation is a wage violation with employees entitled to ten minutes of additional compensation for each instance they are required or allowed to work longer than three consecutive hours without a rest break. *Id* at 849.

1           7.5. Defendants violated the Industrial Welfare Act and its implementing regulation by  
2 failing to ensure Plaintiff and members of the putative class received a ten-minute paid rest period for  
3 every four hours worked and by failing to keep records of the occurrence, time and duration of rest  
4 periods taken, by failing to implement a process for Plaintiff and members of the putative class to  
5 report missed or otherwise noncompliant rest periods and by creating work schedules, staffing levels  
6 and conditions of work that discouraged paid rest periods.

7           7.6. Defendants violated the Minimum Wage Act when they failed to compensate Plaintiff  
8 and members of the putative class for an additional ten minutes of work for each instance it required  
9 them to work greater than three consecutive hours without a rest period, provided a rest period in  
10 a duration of less than ten minutes, or did not provide a rest period of at least ten minutes in  
11 duration for each four hours worked.

12           7.7. As a result of Defendants' acts and omissions, Plaintiff and members of the putative  
13 class have been damaged in amounts as will be proven at trial.

14           **VIII. THIRD CAUSE OF ACTION – CLASSWIDE FAILURE TO PAY OVERTIME**  
15           **IN VIOLATION OF THE WASHINGTON MINIMUM WAGE ACT**

16           8.1. Plaintiff restates and realleges the allegations set forth in all preceding paragraphs.

17           8.2. Defendants violated the MWA by failing to pay overtime wages at a rate of one and  
18 one-half times their applicable regular rate of pay for all hours worked over forty in a workweek  
19 by Plaintiff and members of the putative class, inclusive of additional time to compensate for  
20 missed or otherwise noncompliant meal or rest periods.

21           8.3. As a result of Defendants' acts and omissions, Plaintiff and members of the putative  
22 class have been damaged in amounts as will be proven at trial.

1 **IX. FOURTH CAUSE OF ACTION – CLASSWIDE WILLFUL WITHHOLDING**  
2 **OF WAGES IN VIOLATION OF THE WASHINGTON WAGE REBATE ACT**

3 9.1. Plaintiff restates and realleges the allegations set forth in all preceding paragraphs.

4 9.2. By the foregoing, Defendants' actions constitute willful withholding of wages due  
5 in violation of RCW 49.52.050 and 070.

6 9.3. As a result of Defendants' acts and omissions, Plaintiff and members of the putative  
7 class have been damaged in amounts as will be proven at trial.

8 **X. PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff requests this Court enter an order against Defendants, jointly  
10 and severally, granting the following relief:

- 11 A. Certification of this case as a class action pursuant to CR 23(a) and (b)(3);  
12 B. Damages for unpaid wages in amounts to be proven at trial;  
13 C. Exemplary damages pursuant to RCW 49.52.070;  
14 D. Attorneys' fees and costs pursuant to RCW 49.46.090, 49.48.030, and 49.52.070;  
15 E. Additional Attorneys' fees pursuant to all applicable factors outlined in *Bowers v.*  
16 *Transamerica Title Ins.*, 100 Wn.2d 581, 593-597 (1983);  
17 F. Prejudgment interest pursuant to RCW 19.52.010; and  
18 G. Such other and further relief as the Court deems just and proper.

1 DATED this the 29th day of August, 2023

2 ENTENTE LAW PLLC

3 s/ James B. Pizl

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